



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------|------------------|
| 09/419,749 | 10/16/1999 | TAD A. DEFFLER | 22074661-255 | 1735 |
| 5073 | 7590 | 11/30/2005 | | |
| BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980 | | | EXAMINER COLBERT, ELLA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3624 | |

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/419,749 | Applicant(s) DEFFLER ET AL. | |
| | Examiner Ella Colbert | Art Unit 3624 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-4, 6, and 9 are pending. Claims 1-4, 6, and 9 were amended and claims 5, 7, and 8 have been cancelled in this communication filed 09/06/05 entered as RCE and Request for Extension of Time.
2. The Correspondence Address Change filed 09/16/05 has been entered.
3. The 35 USC 112 first paragraph rejection of claim 1 has been overcome by Applicants' amendment to Claim 1 and is hereby withdrawn.
4. The 35 USC 112 second paragraph rejection of claims 1, 3 and 9 has been overcome by Applicants' Amendment to claims 1, 3, and 9 and is hereby withdrawn.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/06/05 has been entered.

Claim Objections

6. Claim 3 is objected to because of the following informalities: Claim 3, line 10, page 3 recites "... one or more keywords from parser, retrieve,". This line would be better recited "... one or more keywords from a parser, retrieve,".. Appropriate correction is required.

Drawings

7. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because Fig. 1, reference character "108a" has been used to designate both Token "property", "Token component" and "keyword property"; reference character "108b" has been used to designate both "PARAM "NAME" and "PARAM component"; reference character "108c" has been used to designate both "LITERAL "LIKES" and "LITERAL component"; reference character "108d" has been used to designate both "LITERAL "PIZZA" and "LITERAL component"; and reference character "106" has been used to designate both "{PROPERTY (NAME)} LIKES PIZZA" and "Macro Language Expression" . Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

8. The Specification is objected to because in the description of figure 2, elements 204a and 114 are not described or mentioned. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 2, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,737,592) Nguyen et al, hereafter Nguyen in view of (GB 2227339A) Dandeker.

With respect to claim 1, Nguyen teaches, determining based on a predetermined syntax of a macro language, one or more keywords in a macro language expression, each keyword being associated with an extended macro command (col. 5, line 65-col. 6, line 67); and retrieving, from a registry of keywords and associated executable codes, and executable code associated with each keyword in the macro language statement (col. 6, lines 7-14). Nguyen failed to teach, executing each retrieved executable code to run the extended macro command associated with each of the one or more keywords in the macro language expression without recompiling the macro language. Dandeker teaches executing each retrieved executable code to run the extended macro command associated with each of the one or more keywords in the macro language expression

without recompiling the macro language (page 3 –page 5, line 3). However, this step is well known in the art and performed at runtime and it is not a recompilation but it is a copy as many times as it (the macro) is called. There are three different types of macros, such as preprocessor, compiler, and runtime. A preprocessor macro is defined as for example, the C preprocessor is a macro processor that is used automatically by the C compiler to transform the program before actual compilation; compiler macros are defined as controlling the state of the macro with compiler command options; and a runtime macro is defined as tells the runtime intercept how to identify the construct to converted differently and how to render or convert it to the alternative result which usually results in runtime macros that are executed by conversion code at runtime. It would have been obvious to one having ordinary skill in the art at the time the invention was made to execute each retrieved executable code to run the extended macro command associated with each of the one or more keywords in the macro language expression without recompiling the macro language and to modify in Nguyen because such a modification would allow Nguyen to have a direct benefit of using the macros and components to keep the HTML separate from the logic and major changes can often be made –remotely or directly on the server – without even shutting down the Web application. It is well known in the art that the C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language.

With respect to claim 2, Nguyen teaches, extending the registry of keywords and associated executable codes by inserting a new keyword representing a new extended macro command and a new executable code associated with the new keyword (col. 7, line 1-col. 8, line 17). A registry of keywords because it is well known in the art that the

C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language, *supra*.

With respect to claim 9, this independent claim is rejected on grounds corresponding to the reason given for rejected independent claim 1. Applicants' claim 9 has a computer-readable medium encoded with logic operable, when executed on a computer processor, to perform the steps of determining, based on a predetermined syntax of the macro language with steps corresponding to the method of claim 1.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 4,931,928) Greenfeld and (US 5,737,592) Nguyen et al, hereafter Nguyen in view of (US 5,295,059) Brooks et al, hereafter Brooks.

With respect to claims 3, Greenfeld teaches, a parser operable to determine, based on a predetermined syntax of a macro language, one or more keywords embedded within a macro language expression, each keyword being associated with an extended macro command (col. 8, line 1-col. 9, line 34, fig. 3 and fig. 4). Greenfeld failed to teach, a registry of keywords and associated executable codes, including one or more keywords and one or more executable codes, each keyword being associated

with a respective one of the executable codes and a macro handler operable to receive the one or more keywords from a parser, retrieve, from the registry of keywords and associated executable codes, the executable code associated with each keyword embedded within the macro language expression, and execute the retrieved executable codes to run the extended macro command associated with each of the one or more keywords without recompiling the macro language. Nguyen teaches, a registry of keywords and associated executable codes, including one or more keywords and one or more executable codes, each keyword being associated with a respective one of the executable codes (col. 6, lines 7-14). Greenfeld and Nguyen failed to teach, a macro handler operable to receive the one or more keywords from a parser, retrieve, from the registry of keywords and associated executable codes, the executable code associated with each keyword embedded within the macro language expression, and execute the retrieved executable codes to run the extended macro command associated with each of the one or more keywords without recompiling the macro language. Brooks teaches, a macro handler operable to receive the one or more keywords from a parser, retrieve, from the registry of keywords and associated executable codes, the executable code associated with each keyword embedded within the macro language expression, and execute the retrieved executable codes to run the extended macro command associated with each of the one or more keywords without recompiling the macro language (col. 8, lines 3-68 and col. 9, lines 1-60). It would have been obvious at the time the invention was made to a person having ordinary skill in the art of extended keywords to have a macro handler operable to receive the one or more keywords from

Art Unit: 3624

a parser, retrieve, from the registry of keywords and associated executable codes, the executable code associated with each keyword embedded within the macro language expression, and execute the retrieved executable codes to run the extended macro command associated with each of the one or more keywords without recompiling the macro language and to incorporate in Greenfeld because such a modification is well known in the art and would enhance Greenfeld's extended keywords with the parser receiving the keyword first, then parsing the expression and the macro handler in response saving the previous contents of the processor registers (keywords) during execution of the main program with the user selecting the functions and submitting the macro command to run the code associated with the keywords with a prefix symbol.

With respect to claim 4, Greenfeld failed to teach, a keyword registry of keywords and associated executable codes is operable to be extended to include one or more new executable codes, each new keyword being associated with a respective one of the new executable codes. Nguyen teaches, a keyword registry of keywords and associated executable codes is operable to be extended to include one or more new executable codes, each new keyword being associated with a respective one of the new executable codes (col. 6, lines 7-67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a registry of keywords and associated executable codes is operable to be extended to include one or more new executable codes and to modify in Greenfeld because such a modification would allow Greenfeld to have 33 keywords that can be used in the source code and for compiling the macro language.

With respect to claim 6, Greenfeld failed to teach, wherein the executable code includes machine operable instructions. Nguyen teaches, wherein the executable code includes machine operable instructions (col. 6, line 16-col. 7, line 63 and col. 9, line 55=col. 10, line 27). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the executable code include machine operable instructions and to modify in Greenfeld because such a modification would allow Greenfeld to have tools to generate the macro language with for example, HTML editors and SQL interfaces for generating the SQL query component.

With respect to claim 9, this independent claim is rejected on grounds corresponding to the reason given for rejected independent claims 1 and 7. Applicants' claim 9 has a program storage device readable by a machine ... to perform method steps of extending a macro language with steps corresponding to the method of claims 1 and 7.

Response to Arguments

13. Applicants' arguments filed 09/06/05 are considered moot in view of the new ground(s) of rejection.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Stewart (US 5,715,453) disclosed processing function calls for that query dynamic data.

Bourne (US 4,787,035) disclosed parsing and a meta-interpreter.

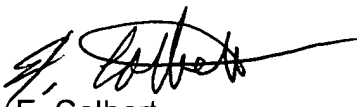
Brody (US 5,495,613) disclosed the user extending the editor with using new commands called transforms in high level languages such as ALGOL, C, COBOL, FORTRAN, or PASCAL.

Inquiries

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Tuesday-Thursday, 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E. Colbert
Primary Examiner
November 25, 2005